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Patent
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Trademark Law

September 21, 2004

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attn: Art Unit 3627
Patent Examiner Steven McAllister

Re: **Application Serial No.:** 09/849,625
Confirmation No.: 9504
Applicants: McGrady, et al.
Title: Method of Tracking and Dispensing Medical
Items
Docket No.: D-1137

Sir:

Please find enclosed Applicants' Response to the Office Action dated September 7, 2004 for filing in the above identified Application.

No fee is deemed required. However, the Commissioner is authorized to charge any necessary fee associated with this Response and any other fee due to Deposit Account 10-0637.

Very truly yours,

Ralph E. Jocke
Reg. No. 31,029

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents indicated as enclosed herewith are being deposited with the U.S. Postal Service as Express Mail Post Office to addressee in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 this 22d day of September 2004.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
McGrady, et al.)	
Serial No.: 09/849,625)	Art Unit 3627
Confirm. No.: 9504)	
Filed: May 4, 2001)	Patent Examiner
)	Steven McAllister
Title: Method of Tracking and)	
Dispensing Medical Items)	

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Reconsideration and withdrawal of the requirement dated September 7, 2004 is respectfully requested.

Applicants Provisionally Elect With Traverse

In response to the Office Action ("Action") dated September 7, 2004 requiring species election, Applicants, as the requirement is best understood, provisionally elect with traverse the alleged Species 5. The Action alleges that Species 5 is drawn to Figure 68. The Office acknowledges that at least independent claim 1 is generic. Applicants respectfully submit that claims 24 and 25 are likewise generic. All claims 1-25 are readable on alleged Species 5.